

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MONTEIL GRACE,

Defendant.

CASE NO. MJ 10-327

DETENTION ORDER

Offense charged:

Felon in Possession of Firearm

Date of Detention Hearing: August 17, 2010

The court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of any other person and the community.

DETENTION ORDER - 1
18 U.S.C. § 3142(i)

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) Defendant has a lengthy record of serious offenses. Several of them involve the possession, use and sometimes the firing of a firearm. This case charges possession and firing of a firearm. These facts raise serious issues of dangerousness.
- (2) His record, juvenile and adult, also includes a conviction for robbery first degree at gunpoint, various assault convictions, and other matters.
- (3) He has also failed to make court appearances as directed, and been unreliable on supervision.
- (4) He has never been employed, has no known assets, and has an unstable record of residence, during the periods he is not in custody.
- (5) Ten to 12 detectives unanimously told the Assistant U.S. Attorney that defendant is a Blood Gang member. At the request of defense counsel, the pretrial services officer did not question defendant about street gang involvement or firearms.
- (6) Defendant has a history of controlled substance use. He also suffers from a mental health condition, the precise nature of which is unknown, but for which he is receiving no treatment.

It is therefore ORDERED:

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

DETENTION ORDER - 2

18 U.S.C. § 3142(i)

- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 17th day of August, 2010.

s/ John L. Weinberg

United States Magistrate Judge